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What Are Not Excuses.—The preference of an older execution over a younger, no excuse. *Bell v. King*, 8 Port. (Ala.) 147. That plaintiff had agreed with defendant to set off a debt, or suspend the levy, constitutes no excuse in the absence of instructions. *Crenshaw v. Harrison*, 8 Ala. 342; *Derby Bank v. Landon*, 2 Conn. 417. It is no excuse that property had been levied on before. *State v. Gemmill*, (Dec. 1855), 1 Houst. 9. The fact that a claim to property had been interposed under a prior levy no excuse for failure to levy a subsequent execution. *Brown v. McCrary*, 30 Ga. 878. Sickness of sheriff is no excuse. *Freudenstein v. McNeir*, 81 Ill. 208; *Campbell v. Luttrell*, 13 Mo. 27. It is no excuse that debtor did not have property enough to pay the whole claim. *Commonwealth v. Hurt*, 67 Ky. 64. Disclaimer of ownership by debtor no excuse. *Bachelder v. Chaves*, 5 N. Mex. 562, 25 Pac. Rep. 783. A fraudulent assignment of goods by debtor does not excuse sheriff from making levy. *Williams v. Lowndes*, 1 N. Y. Super. Ct. (1 Hall) 579. But see: *Reid Co. v. Sundback*, 5 S. Dak. 31. Notice of appeal no excuse. *Clark v. Carnley* (N. Y.), 3 Code Rep. 136. It is no excuse that debtor still has abundant property on which to make a levy. *Ledyard v. Jones*, 6 N. Y. Super. Ct. 67. Debtor's sickness or promise will not excuse a sheriff. *Cowan v. Sloan*, 95 Tenn. 424, 32 S. W. Rep. 388. Unrecorded, secret deed to property to secure other creditors constitutes no excuse. *Grove v. Harris*, 35 Tex. 320. That prior liens exist on property is no excuse to sheriff. *Smothers v. Field*, 65 Tex. 435.—*Central Law Journal*.

CRIMINAL LAW—TRESPASS—HUSBAND ENTERING WIFE'S LAND TO RESIDE THERE AFTER SHE HAS LEFT HIM AND FORBIDDEN HIM TO ENTER.—The right to prosecute a man for criminal trespass in entering upon his wife's land with intent to make his residence there is denied, in *State v. Jones*, 132 N. C. 1043; s. c. 61 L. R. A. 777; 43 S. E. Rep. 939, although she has left him and removed from the premises upon good grounds, for believing that he has been guilty of adultery, and has forbidden him again to enter upon them, and the Constitution provides that property shall be and remain her sole and separate estate.

CRIMINAL LAW—RAPE—SHAM MARRIAGE.—Procuring a woman's consent to sexual intercourse by means of a sham marriage is held, in *Lee v. State*, 43 Tex. Crim. App. 285; s. c. 61 L. R. A. 904; 64 S. W. 1047, to constitute rape, under statutes defining rape as carnal knowledge of a woman without her consent, obtained by force or fraud. Under the Virginia statute, sec. 3680, as amended by Acts 1895-6, p. 673, force is necessary except in cases of children under fourteen and inmates of lunatic asylums, and pupils, who are inmates of deaf, dumb and blind institutions.

PRISON RECORDS—BERTILLON MEASUREMENTS AND PHOTOGRAPHS—ACTION FOR LIBEL—MANDAMUS REFUSED.—*Roland B. Molineaux*, who was acquitted at a second trial upon the charge of murder, made application to